

Ref

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 329

Acceptance for nomenclatorial purposes of the work
by Giovanni Antonio Scopoli entitled *Introductio ad
Historiam Naturalem* published in 1777



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 329

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*).

President : (Vacant).

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*).

Secretary : Mr. Francis Hemming (*London, England*).

B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology).

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (*Vice-President*) (1st January 1944).

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (1st January 1944).

Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (28th March 1944).

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (23rd April 1944).

Dr. William Thomas CALMAN (*Coulsdon, Surrey, England*) (1st January 1947).

Professor Béla HANKÓ (*Békéscsaba, Hungary*) (1st January 1947).

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (1st January 1947).

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947).

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (*Secretary*) (27th July 1948).

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948).

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948).

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950).

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950).

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950).

Professor Tadeusz JACZEWSKI (*Department of Systematic Zoology, Warsaw University, Warsaw, Poland*) (15th June 1950).

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950).

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950).

OPINION 329

ACCEPTANCE FOR NOMENCLATORIAL PURPOSES OF THE WORK BY GIOVANNI ANTONIO SCOPOLI ENTITLED "INTRODUCTIO AD HISTORIAM NATURALEM" PUBLISHED IN 1777

RULING : (1) It is hereby ruled that in the work entitled *Introductio ad Historiam Naturalem* published in 1777 Giovanni Antonio Scopoli duly applied the principles of binominal nomenclature and therefore that new names published in the foregoing work possess rights under the Law of Priority in virtue of having published therein.

(2) The title of the work specified in (1) above is hereby placed on the *Official List of Works Approved as Available for Zoological Nomenclature* with the Title No. 11.

I.—THE STATEMENT OF THE CASE

On 4th August 1951, Mr. Francis Hemming, as Secretary, submitted an application to the Commission for a Ruling on the question of whether in the work entitled *Introductio ad Historiam Naturalem* published in 1777 Scopoli (G.A.) had applied the principles of binominal nomenclature and therefore whether new names published in this work possessed a status of availability in virtue of having been so published. This question had long

called for a decision in view of the large number of generic names in common use accepted with priority as from Scopoli's *Introductio*. In addition, from the point of view of the work of the Commission, this question possessed a special urgency, since it was the lack of a decision on this matter which had prevented the Commission in its *Opinion* 160 from giving more than an interim Ruling on the question of the availability of the generic name *Anguina* Scopoli, 1777. At that time, the postponement of a decision on this question was inevitable owing to the doubts which then existed in regard to the meaning to be attached to the expression "nomenclature binaire" as used in Proviso (b) to Article 25 of the *Règles*, but the settlement of this question by the Thirteenth International Congress of Zoology, Paris, 1948, cleared the way for a decision on the question of the availability of Scopoli's *Introductio* and therefore for a substantive decision regarding the status of the name *Anguina* Scopoli¹. The application submitted by Mr. Hemming on the general issue discussed above was as follows :—

**On the nomenclatorial status of names published in 1777 in the
"Introductio ad Historiam Naturalem" of Giovanni Antonio Scopoli**

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature)

1. At its Session held in Lisbon in September 1935 (Lisbon Session, 4th Meeting Conclusion 11) the International Commission on Zoological Nomenclature had under consideration an application submitted by Dr. B. G. Chitwood (Bureau of Animal Industry, U.S. Department of Agriculture, Washington, D.C.) jointly with four other specialists (all of the U.S. Department of Agriculture), the central feature of this application being the question whether the generic name *Anguina* Scopoli, 1777, published in the foregoing work, was or was not an available name. The point at issue was whether in the *Introductio* Scopoli had applied the "principes de la nomenclature

¹ Proposals for a settlement of the problems associated with the name *Anguina* Scopoli, 1777, were submitted to the Commission on 27th February, 1954 in Voting Paper V.P.(54)15. At the close of the Prescribed Voting Period it was found that these proposals had been unanimously approved by the Commission. The decision so taken was at once embodied in *Opinion* 341 (now in the press).

binaire", as then required by Article 25 of the *Règles*. At that time the meaning to be attached to the foregoing expression was the subject of keen debate, some authors claiming that it was identical in meaning with the expression "nomenclature binominale", others that it had a wider meaning. Pending a decision by the International Congress of Zoology on the question of principle involved, all that it was possible for the Commission to do in regard to the application submitted by Dr. Chitwood and his colleagues was to rule that "for so long as names published by authors using a binary, though not binominal, system of nomenclature were recognised as complying with the requirements of Article 25 of the International Code, the generic names published in . . . the *Introductio* . . . should be accepted as available nomenclatorially, but that the position should be re-examined if later it were decided to reject generic names published by authors not applying the binominal system" (1943, *Bull. zool. Nomencl.* 1 : 37—38). In 1943 the foregoing decision was formally embodied in an *Opinion* (*Opinion* 160) which was published two years later (1945, *Opin. Decl. int. Comm. zool. Nomencl.* 2 : 291—306).

2. The next event bearing on the present problem occurred in 1943 when Mr. R. Winckworth submitted an application to the International Commission on Zoological Nomenclature, asking for a ruling on the question whether the work by Martin Thrane Brünnich entitled *Zoologiae Fundamenta*, then believed to have been published in 1772 (but later found to have been published in 1771), satisfied the requirements of Proviso (b) to Article 25 of the *Règles*. Mr. Winckworth pointed out in his application that Brünnich's *Fundamenta* was (as its title indicated) an introduction to zoology, that it dealt with taxonomic categories down to, and including, the genus-level, but out of considerations of time and space did not attempt to list the species referable to the genera recognised ("Enumeratio specierum nimis foret proluxa."). The only point raised was whether the failure by an author to deal with species, brought his work outside the scope of Proviso (b) to Article 25 (the proviso which then made the availability of a name depend upon the application by its author of the "principes de la nomenclature binaire"); for there was nothing to suggest that, if Brünnich's *Fundamenta* had been designed to deal with species as well as higher taxonomic categories, he would not have applied the principles of binominal nomenclature. It was immediately evident that the problem presented by Brünnich's *Fundamenta* was identical with that raised by Scopoli's *Introductio*, for each of these works was a general textbook of (or introduction to) zoology and in each the author dealt with the various taxonomic categories down to the genus-level but no further, Brünnich citing no species, Scopoli only occasionally citing species, employing when he cited a specific name, otherwise than in a quotation, a strictly binominal system of nomenclature.

3. At its Session held in Paris the International Commission on Zoological Nomenclature (1950, *Bull. zool. Nomencl.* 4 : 63—66)

proposed, and the Thirteenth International Congress of Zoology agreed, that the expression "nomenclature binaire" as hitherto used in the *Règles* had the same meaning as the expression "nomenclature binominale" and substituted the latter expression for the former, wherever it had till then occurred in the *Règles* (i.e. in Articles 25 and 26). This decision cleared up one of the questions which were doubtful at the time when the International Commission rendered its *Opinion* 160 (in regard to the name *Anguina* Scopoli, 1777). As we have seen, however, (paragraph 2) a decision on this question of principle was not itself sufficient to provide an answer to the problem raised by Scopoli's *Introductio* of 1777 and by Brünnich's *Fundamenta*, for that problem was not whether Scopoli and Brünnich were binominal authors—there was never any doubt on that score—but whether a binominal author should be held to have complied with the requirements of Proviso (b) to Article 25, i.e. whether he was to be regarded as having "appliqué les principes de la nomenclature binominale" (formerly "binaire") if in the work in question he dealt with zoological systematic categories, down to, but not including, the species level.

4. At its Paris Session also, the International Commission dealt with the application submitted by Mr. Winckworth in regard to the status of new names as published in Brünnich's *Fundamenta* of 1771 (Paris Session, 12th Meeting, Conclusion 2). In accordance with the principle laid down at Lisbon in 1935 (1943, *Bull. zool. Nomencl.* 1 : 40) the International Commission decided first the question of principle involved and, having done so, applied the decision so reached to the particular case of Brünnich's *Fundamenta*. On the question of principle, the International Commission agreed (1950, *Bull. zool. Nomencl.* 4 : 309) "that, where, prior to 1st January 1931, an author had published a new generic name in a work dealing with classification down to the generic level but no further, it was not necessary for the purpose of Proviso (b) to Article 25 that in the work concerned the author in question should have cited trivial names of species under that genus or other genera discussed in the book concerned, provided that it was evident that the author concerned would have applied the principles of binominal nomenclature for species if in the book concerned he had dealt with taxonomic units below the genus-level". In the light of the foregoing decision the International Commission agreed (1950, *ibid.* 4 : 309—310) "to render an *Opinion* stating that, for the reasons given above, the generic names published in Brünnich, 1771, *Zoologiae Fundamenta* complied with the requirements of Article 25 of the *Règles*".

5. The decision taken by the International Commission in regard to the status of new generic names in Brünnich's *Fundamenta* provides a clear guide for settling the problem of the availability of new generic names in Scopoli's *Introductio* of 1777, for the features presented by that work are indistinguishable from those presented by Brünnich's *Fundamenta*. The stage has therefore now been reached when the

Commission is in a position, in accordance with its announced intention, to complete the consideration of the questions raised, but (at that time unavoidably) left unanswered in its *Opinion* 160 regarding the name *Anguina* Scopoli, 1777, and associated problems. It is accordingly recommended that, in pursuance of the decision on procedure announced in *Opinion* 160 and in the light of the decision of principle taken at the time when the status of the names in Brünnich's *Fundamenta* was settled, the International Commission on Zoological Nomenclature should now give a ruling that in the *Introductio ad Historiam naturalem* of 1777 Scopoli complied with the requirements of Article 25 and therefore that new names published in the above work, if not homonyms or objective synonyms of older names, are themselves available names.

6. The need for a decision in regard to this matter is extremely urgent, for over the nomenclature of wide areas of the Animal Kingdom the generic names first published in 1777 in Scopoli's *Introductio* are in current use, but, pending the completion of *Opinion* 160, are liable to challenge with a consequent risk of confusion and unnecessary name-changing. The nomenclature used in Scopoli's *Introductio* is of direct concern, not merely to specialists in one particular Order (where the specialists concerned are at least aware of the nomenclatorial practice in regard to that book adopted by other specialists in that group), but also to specialists in widely separated groups. It may be found, therefore, that in some groups generic names first published in the *Introductio* are not currently in use, specialists in the groups concerned having proceeded on the assumption that the names in question were not available under Article 25 of the *Règles*. In so far as this may prove to be the case, it would clearly be appropriate to apply the general principle laid down by the International Congress of Zoology (1950, *Bull. zool. Nomencl.* 4 : 65) that special consideration should be given to any cases where, as the result of the decision clarifying the meaning of the expression "nomenclature binaire" then taken, a well-known and well-established name was found to be invalid. It is accordingly recommended that, when taking the decision suggested at the end of paragraph 5 of the present application, the International Commission on Zoological Nomenclature should indicate its willingness to give sympathetic consideration to any application which may be submitted to it for the validation of a well-established generic name now found to be either an objective or subjective junior synonym of a generic name published in 1777 in Scopoli's *Introductio* but not currently in use.

7. A decision on the question now submitted to the International Commission will not finally dispose of the matters left undecided in *Opinion* 160 ; since for this purpose it will be necessary for the Commission to decide whether the name *Anguina* Scopoli, 1777, is to be placed on the *Official List of Generic Names in Zoology* or whether some other name should be accepted for the genus concerned. The views of specialists in the Nematoda are being sought on this question,

which, when sufficient information has been collected, will be submitted to the International Commission for decision.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : On the receipt of Mr. Hemming's application, the question of the availability of names published in 1777 in Scopoli's *Introductio* was allotted the Registered Number Z.N.(S.) 587.

3. Publication of the present application : In order to expedite the substitution of a substantive decision in regard to the name *Anguina* Scopoli, 1777 for the interim Ruling given in *Opinion* 160, the present application was sent to the printer immediately upon its having been received, and it was published on 28th September 1951 in Part 4 of volume 6 of the *Bulletin of Zoological Nomenclature* (Hemming, 1951, *Bull. zool. Nomencl.* 6 : 122—125).

4. Support received from Professor George S. Myers (Stanford University, Natural History Museum, Stanford, California, U.S.A.): In a letter dated 29th January 1952 Professor George S. Myers (*Stanford University, Natural History Museum, Stanford, California, U.S.A.*) intimated his support for the present application as follows (Myers, 1952, *Bull. zool. Nomencl.* 6 : 255) :—

I have noticed in a recent issue of the *Bulletin* (Hemming, 1951, *Bull. zool. Nomencl.* 6 (4) : 122—125) a discussion of some of the generic names proposed by Scopoli, 1777, *Introductio ad Historiam naturalem*. It seemed to me that some feeling was shown that Scopoli should be nomenclaturally outlawed. This would be catastrophic in ichthyology, where the outlawing of Scopoli's names would mean the replacement of a number of very important generic names. The more important Scopolian fish names are : **Liparis*, **Umbra*, **Clarias*, **Percis*, **Anableps*, **Pholis*, **Erythrinus*, **Anostomus*, **Mastacembelus*, **Synodus*, **Mystus*, **Channa*, **Holocentrus*, **Callichthys*, **Gonorhynchus*, **Aspredo*, **Albula*, **Charax*.

An asterisk indicates that the name is the type genus of a currently recognised family. Some of these families are large and important.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

5. Issue of Voting Paper V.P.(52)59 : On 22nd May 1952, a Voting Paper (V.P.(52)59) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal set forth at the foot of the present Voting Paper relating to the availability of names published in Scopoli, 1777, *Introductio ad Historiam Naturalem*, which has been prepared in the light of the discussion on pages 122 to 125 of volume 6 of the *Bulletin of Zoological Nomenclature*" [*i.e.* in the application reproduced in the first paragraph of the present *Opinion*]. The proposition on which, as explained in the foregoing Voting Paper, the Members of the International Commission were then asked to vote was as follows:—"In accordance with the principles laid down by the Thirteenth International Congress of Zoology, Paris, 1948, when considering the status of names in Brünnich, 1771, *Zoologiae Fundamenta* (1950, *Bull. zool. Nomencl.* 4 : 309, Points (1) and (2)), Scopoli (G.A.) is to be treated as having applied the principles of binominal nomenclature in the work entitled *Introductio ad Historiam Naturalem* published in 1777".

6. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 22nd August 1952.

7. Particulars of the Voting on Voting Paper V.P.(52)59 : The state of the voting on Voting Paper V.P.(52)59 at the close of the Prescribed Voting Period was as follows:—

(a) *Affirmative Votes had been given by the following fifteen (15) Commissioners (arranged in the order in which Votes were received) :*

Calman ; Hering ; Dymond ; Hankó ; Bonnet ; Vokes ;
Bradley ; do Amaral ; Hemming ; Esaki ; Riley ;
Lemche ; Pearson ; Stoll ; Boschma ;

(b) *Negative Votes* :

None ;

(c) *Voting Papers not returned, three (3)* :

Cabrera² ; Jaczewski ; Mertens.

8. Declaration of Result of Vote : On 23rd August 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)59, signed a Certificate that the Votes cast were as set out in paragraph 7 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

9. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the *Règles* establishing an "Official List" to be styled the *Official List of Works Approved as Available for Zoological Nomenclature* and directing the insertion therein of the title of any work which the International Commission might either validate under its Plenary Powers or declare to be available under the *Règles* for the purposes of zoological nomenclature (1953, *Copenhagen Decisions zool. Nomencl.* : 24). Since the foregoing provision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present *Opinion* has been taken to record the insertion in the foregoing *Official List* of the title of the work which forms the subject of the present *Opinion*.

10. On 12th May 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a

² After the close of the Prescribed Voting Period, an affirmative vote was received (on 1st September 1952) from Commissioner Cabrera.

Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(52)59, as supplemented by the action required to conform with the decision of the Fourteenth International Congress of Zoology, Copenhagen, 1953, as specified in the immediately preceding paragraph.

11. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

12. The present *Opinion* shall be known as *Opinion* Three Hundred and Twenty-Nine (329) of the International Commission on Zoological Nomenclature.

DONE in LONDON, this Twelfth day of May, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

